

Prior restraint of a crime is not allowable. Period. We live in a free country where innovation sparkles when people are allowed to be free in their actions. After the fact, their actions might be considered criminal, and they might be charged. However, preventing an act like Recording when only a fraction of the potential Recorders might be committing a crime would in itself be criminal, and against the spirit and the letter of our law. Rulings have held that time shifting is legal. Forcing particular technologies that force particular behaviors on the part of the public should NEVER be the place of our government.

Because the FCC has mandated DTV broadcast, it must be lenient in the other areas of the requirements. If you force us to shift to DTV to more efficiently use bandwidth, you MUST NOT force us to abide by some administrative policies concerning an act that we should be free to do.

What WOULD be a good idea is to ensure that any recording DOES maintain the "fingerprint" of the originating publisher, producer, broadcaster, etc. Sort of like a Digital DNA. But outright blocking of recording is just plain wrong. I hope you can understand the distinction, and I hope that you vote against the requirement to prevent recording.